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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) NO. CR 19-0280 RS
Plaintiff,)
v.) STIPULATION TO EXCLUDE TIME FROM
ROGELIO BELLOSO ALEMAN, et al.,) NOVEMBER 17, 2020 THROUGH JANUARY 26,
Defendants.) 2021 AND ORDER
)
)
)

It is hereby stipulated by and between counsel for the United States and counsel for all defendants that time be excluded under the Speedy Trial Act from November 17, 2020 through January 26, 2021.

The parties appeared before the district court for a status conference on November 17, 2020. This was the third district court appearance before this Court in which all of the defendants' counsel or their representatives appeared. Due to the ongoing public health emergency and the corresponding rules and procedures set forth in General Orders 72, 73, and 74, the hearing was conducted by Zoom videoconference without the defendants present. At the hearing, the government reported that its latest

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1 productions included body-worn camera footage and additional investigative reports. The government
 2 reported that it intended to develop a system to identify pertinent materials to aid defense counsel due to
 3 the voluminous discovery produced in this case. This included producing cell phone extraction forensic
 4 reports on a rolling basis as well as jail call summaries that it possessed. The parties reported that they
 5 were scheduled to appear before Judge Hixson for a discovery status conference on December 10. At
 6 the end of the hearing, the Court set the matter for further status on January 26, 2021, at 10:00 a.m. via
 7 Zoom.

8 Because the discovery process is ongoing, the government and counsel for the defendants agree
 9 that time should be excluded under the Speedy Trial Act so that defense counsel may prepare, including
 10 by reviewing discovery and making arrangements to consult with their clients. 18 U.S.C.
 11 § 3161(h)(7)(B)(iv). The parties further agree that this case is so complex, due to the number of
 12 defendants and the nature of the prosecution, that it is unreasonable to expect adequate preparation for
 13 pretrial proceedings and for the trial itself within the otherwise-applicable time limits, within the
 14 meaning of 18 U.S.C. § 3161(h)(7)(B)(ii). For these reasons and as further stated on the record during
 15 court appearances, the parties stipulate and agree that excluding time should be excluded under the
 16 Speedy Trial Act through January 26, 2021.

17 The undersigned Assistant United States Attorneys certify that they have obtained approval from
 18 counsel for the defendants to file this stipulation and proposed order.

19 IT IS SO STIPULATED.

20 DATED: December 9, 2020

/s/
 ANDREW M. SCOBLE
 ASEEM PADUKONE
 RAVI T. NARAYAN
 Assistant United States Attorneys

23 DATED: December 9, 2020

/s/
 GEORGE BOISSEAU
 Counsel for Rogelio Bellosio Aleman

25 DATED: December 9, 2020

/s/
 PETER ARIAN
 Counsel for Edwin Alvarado Amaya

27 DATED: December 9, 2020

/s/
 ERICK GUZMAN
 Counsel for Fernando Romero Bonilla

28 STIPULATION TO EXCLUDE TIME AND [PROPOSED] ORDER
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v. 7/10/2018

1 DATED: December 9, 2020

2 _____/s/
3 KENNETH WINE
4 Counsel for Kenneth Campos

5 DATED: December 9, 2020

6 _____/s/
7 BRIAN BERSON
8 Counsel for Evert Galdamez Cisneros

9 DATED: December 9, 2020

10 _____/s/
11 JEFFREY BORNSTEIN, CAROLINE JACKSON
12 Counsel for Luis Velis Diaz

13 DATED: December 9, 2020

14 _____/s/
15 ALAN DRESSLER
16 Counsel for Ronaldy Dominguez

17 DATED: December 9, 2020

18 _____/s/
19 SHAFFY MOEEL
20 Counsel for Oscar Espinal

21 DATED: December 9, 2020

22 _____/s/
23 NAOMI CHUNG
24 Counsel for Wilfredo Iraheta Landaverde

25 DATED: December 9, 2020

26 _____/s/
27 ROBERT WAGGENER
28 Counsel for Kevin Reyes Melendez

29 DATED: December 9, 2020

30 _____/s/
31 K. ALEXANDRA MCCLURE
32 Counsel for Missael Mendoza

33 DATED: December 9, 2020

34 _____/s/
35 JOANNA SHERIDAN
36 Counsel for Christian Quintanilla

37 DATED: December 9, 2020

38 _____/s/
39 MARTIN SABELLI, RICHARD HULLINGER
40 Counsel for Elmer Rodriguez

41 DATED: December 9, 2020

42 _____/s/
43 CHARLES WOODSON
44 Counsel for Marvin Osegueda Saravia

45 DATED: December 9, 2020

46 _____/s/
47 MARK VERMEULEN
48 Counsel for Kevin Ramirez Valencia

49 DATED: December 9, 2020

50 _____/s/
51 GREGOR GUY-SMITH
52 Counsel for Alexis Cruz Zepeda

53 DATED: December 9, 2020

54 _____/s/
55 DENA YOUNG
56 Counsel for Kevin Guatemala Zepeda

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58 Case No. CR 19-0280 RS

ORDER

Based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court finds that failing to exclude the time from November 17, 2020 through January 26, 2021 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that this case is so complex, due to the number of defendants and the nature of the prosecution, that it is unreasonable to expect adequate preparation for pretrial proceedings and for the trial itself within the otherwise-applicable time limits, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii).

The Court concludes that the ends of justice served by excluding the time from November 17, 2020 through January 26, 2021 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from November 17, 2020 through January 26, 2021 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: December 9, 2020


HON. RICHARD SEEBORG
United States District Judge